IN THE HIGH COURT OF JHARKHAND AT RANCHI
Second Appeal No. 368 of 2004

Jugeshwar Mishra & Ors. ... … … Appellants

Versus

Tohan Baraik & Ors. ... ... Respondents

CORAM: **HON'BLE MR. JUSTICE ALOK SINGH**

For the Appellants : Mr. Vikash Kishore Prasad, Advocate
For the Respondents :

I.A. No. 3822 of 2011 and I.A. No. 3821 of 2011

07/04.01.2013 Respondent No. 2 has died on 22.09.2008. However, substitution application was moved on 23.12.2011.

Undisputedly, Tohan Baraik, party Respondent No. 1, is also one of the legal heirs of Respondent No. 2 and the interest of the Respondent No. 2 is already being represented through Respondent No. 1, therefore, delay in moving substitution application is condoned.

For the reasons stated in the application, legal heirs as stated in body of the application are allowed to be substituted.

Both the I.As. stand disposed of accordingly.

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Let necessary amendment be carried out in the memo of the parties within a week.

Let notice be issued to the substituted legal heirs of Respondent No. 2 by registered post with A/D in addition to normal mode of service. Steps shall be taken by the appellants within a week.

(Alok Singh, J.)

Manish